HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.5995 of 2007

Dated:12.04.2007

Between:

Gudi Krishnaiah.

…Petitioner

and

The District Collector, Nellore, and others.

…Respondents

HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.5995 of 2007

ORDER:

The sixth respondent was given a possession certificate in respect of land admeasuring Ac.0.03 cents in survey No.83-7 situated at Kamakuru Village of Balayapalli Mandal in Nellore District. The third respondent addressed a letter to the fifth respondent stating that initially the sixth respondent was granted a possession certificate, but on the resolution passed by the Gram Panchayat, the sixth respondent was given alternative site. The fifth respondent, therefore, requested to restore the payment to her, so that, she can construct house on the site given to her. Aggrieved by this, the petitioner, who is the fourth ward Member of the Gram Panchayat, filed the instant Writ Petition.

Learned counsel for the petitioner submits that the site allotted to the sixth respondent is required for public purpose and therefore, the possession certificate granted to the sixth respondent is illegal. I am afraid, the submission cannot be accepted. A perusal of the impugned order, dated 18.02.2007, would show that the site allotted to the sixth respondent in survey No.83-7 was changed and an alternative site was granted.

The Writ Petition is filed on a wrong premise. Therefore, it is dismissed. No costs.

(V.V.S.RAO, J)

12.04.2007
GJ